

BATTIS.

Raymond A. Connell (RC 9071)  
132 Nassau Street, Suite 900  
New York, New York 10038  
Tel.: (212) 233-0440  
Fax: (212) 619-2340

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CLIPPER ELITE CARRIERS, LTD.

Plaintiff

07 Civ. 9574 (DAB)

v.

EFC case

INTERNATIONAL FREE COMPANY

**ORDER DIRECTING CLERK  
TO ISSUE PROCESS OF  
MARITIME ATTACHMENT  
AND GARNISHMENT**

Defendant.

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**EX PARTE ORDER FOR PROCESS OF MARITIME ATTACHMENT**

WHEREAS, on October 26, 2007, Plaintiff, CLIPPER ELITE CARRIERS, LTD., filed its Verified Complaint herein for damages amounting to \$45,000 inclusive of interest, and costs and praying for issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental

Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and,

**WHEREAS**, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of Defendant INTERNATIONAL FREE COMPANY's, property within the District of this Court; and,

**WHEREAS**, this Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby,

**ORDERED**, that the Clerk of this Court is authorized to issue the Process of Maritime Attachment and Garnishment against all assets, cash, funds, credits, wire transfers, accounts, electronic fund transfers, or any other tangible and/or intangible assets belonging to, due, claimed by, being held for or on behalf of, or being transferred for the benefit of Defendant, including, but not limited to any such assets as may be in possession, custody or control of, or being transferred through any garnishee within this District, including, without limitation, assets held by any of the below listed garnishees:

1. Citibank  
399 Park Avenue  
New York, NY 10022
2. Bank of America  
c/o Zeichner, Ellman & Krause LLP  
575 Lexington Avenue  
New York, NY 10002

3. Bank of New York  
1 Wall Street  
New York, NY 10286
4. JP Morgan Chase Bank  
One Chase Manhattan Plaza  
New York, NY
5. Credit Suisse First Boston  
315 Park Avenue  
New York, NY
6. HSBC (USA)  
120 Broadway  
New York, NY
7. Wachovia Bank  
360 Madison Avenue  
New York, NY 10017
8. Barclay's Bank  
200 Park Avenue  
New York, NY 10166
9. Standard Chartered Bank  
1 Madison Avenue  
New York, NY 10010
10. Deutsche Bank  
60 Wall Street  
New York, NY 10006
11. UBS  
299 Park Avenue  
New York, NY 10171

And said Order being equally applicable with respect to issuance and service of additional Writs of Maritime Attachment and Garnishment upon any garnishees in this district not named herein, in an amount up to and including \$45,000.00

pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

**ORDERED**, that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further,

**ORDERED**, that supplemental process specifying other or additional garnishees enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further,

**ORDERED**, that following initial service by the United States Marshal or other designated process server upon each garnishee, supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile e-mail, or any other form of electronic transmission to each garnishee; and it is further,

**ORDERED**, that service on any garnishee as described above is deemed continuous throughout the day from the time of such service through the opening of the garnishee's business the next business day; and, it is further,

**ORDERED**, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D), each garnishee may consent, in writing, to accept service by any other means; and it is further,

**ORDERED**, that a copy of this Order be attached to and served with the said Process of Maritime Attachment and Garnishment.

Dated: November 8, 2007

SO ORDERED

*Deborah A. Batt*

U.S.D.J.

AUGUSTINE CITY

J. MICHAEL McMAHON,

CLERK

BY: *[Signature]*

DEPUTY CLERK